



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE'

In re application of

Yoji IKAWA et al.

RECEIVED

TECH CENTER 1600/2900

Appln. No.: 09/670,568

infirmation No.: Unassigned

ed: September 27, 2000

Group Art Unit: 1642

Examiner: N. Davis

HUMAN P51 GENES AND GENE PRODUCTS THEREOF

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID **SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

This response is in reference to the Notice to Comply, mailed April 27, 2001, issued in the above referenced patent application. As the Notice was mailed April 27, 2001, and set a one month period for response, this response is timely filed as it is being filed on or before May 27, 2001.

In the Notice, the Examiner states that the Sequence Listing previously submitted in this application fails to comply with the requirements of 37 C.F.R. §§1.821-1.825 for the reasons set forth in the attached Notice to Comply and Raw Sequence Listing Error Report.

The Error Report indicates that one line of amino acid sequence is missing from SEQ ID NO: 5. Applicants have corrected the error in the amended Sequence Listing submitted herewith.



In addition to the present Response to Notice to Comply, Applicants file herewith a paper copy and copy in computer readable form of the Sequencing Listing, a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825, and a copy of the Notice.

Applicants assert that the Response to Notice to Comply and the enclosures are being timely filed, and that the enclosures bring the present application in full compliance with the requirements of 37 C.F.R. §§1.821-1.825.

Accordingly, Applicants respectfully request that the Examiner acknowledge that the Sequence Listing in the present application meets the requirements of 37 C.F.R. §§1.821-1.825.

Respectfully submitted,

Drew Hissong

Registration No. 44,765

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, D.C. 20037-3213 Telephone: (202) 293-7060

Facsimile: (202) 293-7860

Date: May 24, 2001

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Notice	to	Con	nply

DISCLOSURES

Application No.
4
09/670568
Examiner

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	Appi	Applican	Applicant(s)	Applicant(s)	Applicant(s)	Applicant(s)

Art Unit

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).	
 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c). 	
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).	
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."	
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).	
☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).	=[
7. Other: MAY 2 5 200	
Applicant Must Provide: An initial or substitute computer readable form (CRF) copy of the "Sequence Listing ECH CENTER 1600"	
An initial or <u>substitute</u> paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.	,
A statement that the content of the paper and computer readable copies are the same and, wher applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).	
For questions regarding compliance to these requirements, please contact:	
For Rules Interpretation, call (703) 308-4216 For CRF Submission Help, call (703) 308-4212 PatentIn Software Program Support	
Technical Assistance703-287-0200 To Purchase PatentIn Software703-306-2600	
PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yoji IKAWA et al.

Appln. No.: 09/670,568

Confirmation No.: Unassigned

Group Art Unit: 1642

Filed: September 27, 2000

Examiner: N. Davis

HUMAN P51 GENES AND GENE PRODUCTS THEREOF

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents

Washington, D.C. 20231

Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

- 1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include any new matter;
- 2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
- 3. all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by



STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Q61014

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

Drew Hissong

Registration No. 44,765

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, D.C. 20037-3213 Telephone: (202) 293-7060 Facsimile: (202) 293-7860

Date: May 24, 2001

RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Aformation Center (STIC) detected errors when processing the following computer readable

Application Serial Number:	09/670,568	BESTA
Source:	1642	WALLAD.
First Description of the Control of		



THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

Date Processed by STIC:

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

1) LINCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or

2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION PLEASE CONTACT ROBERT WAX, 703 308 4216 PATENTIN 21 e-mail help: patin 21 help@uspto.gov.or.phone 703-306-4119 (R. Wax) PATENTIN 3.0 e-mail help: patin3help@uspto.gov.or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3:0 PROGRAM SACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE SEE BELOW

Checker Version 3.0

The Checker Version 3.0 application is a state-of the art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in accordance. compliance with format and content rules. Checker Version 3 0 works for sequence distings generated for the original version of 37 GFR \$182 \tag{182} \tag{1 Checker Version 810 replaces the previous DOS-based version of Cheo ompliant checker allows public users (CRE) perore submitting them to the United States Para se of Cheeker provocalling the Equeries listing is a strings times army underline in ones?

Cheekar Varsion 3.0 cm-bellown loaded from the USEFO website at the following a http://www.uspro.gov/web/offices/packchecker





1642

RAW SEQUENCE LISTING PATENT APPLICATION: US/09/670,568

DATE: 03/29/2001 TIME: 10:20:49

Input Set : A:\sequence listing (p99-16).txt

Does Not Comply Corrected Diskette Needed

507

Output Set: N:\CRF3\03292001\1670568.raw

200411**1**9} APPLICANT: Ikawa, Yoji

Otsuka Pharmaceutical Co. Ltd.

120> TITLE OF INVENTION: Human p51 gene and its product

MAGE 130> FILE REFERENCE: P99-16

9 <140> CURRENT APPLICATION NUMBER:

10 <141> CURRENT FILING DATE: 2000-09-27

12 <150> PRIOR APPLICATION NUMBER: JP P1998-100467

13 <151> PRIOR FILING DATE: 1998-03-27

15 <160> NUMBER OF SEQ ID NOS: 23

17 <170> SOFTWARE: PatentIn Ver.2.0

ERRORED SEQUENCES

389 <210> SEQ ID NO: 5 390 <211> LENGTH: 2270 391 <212> TYPE: DNA 392 <213> ORGANISM: Human 394 <220> FEATURE:

395 <221> NAME/KEY: CDS 396 <222> LOCATION: (145)..(2067)

398 <400> SEQUENCE: 5

399 tcgttgatat caaagacagt tgaaggaaat gaattttgaa acttcacggt gtgccaccct 60 400 acagtactgc cctgaccett acatecageg tttcgtagaa acceagetea tttctcttgg . 120 401 aaagaaagtt attaccgatc cacc atg tcc cag agc aca cag aca aat gaa 402 Met Ser Gln Ser Thr Gln Thr Asn Glu 403 404 ttc ctc agt cca gag gtt ttc cag cat atc tgg gat ttt ctg gaa cag 219 405 Phe Leu Ser Pro Glu Val Phe Gln His Ile Trp Asp Phe Leu Glu Gln 406 10 15 20 407 cct ata tgt tca gtt cag ccc att gac ttg aac ttt gtg gat gaa cca 267 408 Pro Ile Cys Ser Val Gln Pro Ile Asp Leu Asn Phe Val Asp Glu Pro 35 410 tca gaa gat ggt gcg aca aac aag att gag att agc atg gac tgt atc 315 411 Ser Glu Asp Gly Ala Thr Asn Lys Ile Glu Ile Ser Met Asp Cys Ile 412 45 55 413 cgc atg cag gac tcg gac ctg agt gac ccc atg tgg cca cag tac acg 363 414 Arg Met Gln Asp Ser Asp Leu Ser Asp Pro Met Trp Pro Gln Tyr Thr 65 416 aac ctg ggg ctc ctg aac agc atg gac cag cag att cag aac ggc tcc 411 417 Asn Leu Gly Leu Leu Asn Ser Met Asp Gln Gln Ile Gln Asn Gly Ser 75 418 80 419 teg tee ace agt eec tat aac aca gae cae geg eag aac age gte acg 459 420 Ser Ser Thr Ser Pro Tyr Asn Thr Asp His Ala Gln Asn Ser Val Thr 95 100 422 gcg ccc tcg ccc tac gca cag ccc agc tcc acc ttc gat gct ctc tct

423 Ala Pro Ser Pro Tyr Ala Gln Pro Ser Ser Thr Phe Asp Ala Leu Ser





RAW SEQUENCE LISTING DATE: 03/29/2001 PATENT APPLICATION: US/09/670,568 TIME: 10:20:49

Input Set : A:\sequence listing (p99-16).txt
Output Set: N:\CRF3\03292001\1670568.raw

424					110					115					120		
425	cca	tca	ccc	gcc	atc	ccc	tcc	aac	acc	gac	tac	cca	ggc	ccg	cac	agt	555
426	Pro	Ser	Pro	Ala	Ile	Pro	Ser	Asn	Thr	Asp	Tyr	Pro	Gly	Pro	His	Ser	
427				125					130					135			
428	ttc	gac	gtg	tcc	ttc	cag	cag	tcg	agc	acc	gcc	aag	tcg	gcc	acc	tgg	603
429	Phe	Asp	Val	Ser	Phe	Gln	Gln	Ser	Ser	Thr	Ala	Lys	Ser	Ala	Thr	Trp	
430			140					145					150				
431	acg	tat	tcc	act	gaa	ctg	aag	aaa	ctc	tac	tgc	caa	att	gca	aag	aca	651
432	Thr	Tyr	Ser	Thr	Glu	Leu	Lys	Lys	Leu	Tyr	Cys	Gln	Ile	Ala	Lys	Thṛ	
433		155					160					165					
434	tgc	ccc	atc	cag	atc	aag	gtg	atg	acc	cca	cct	cct	cag	gga	gct	gtt	699
435	Cys	Pro	Ile	Gln	Ile	Lys	Val	Met	Thr	Pro	Pro	Pro	Gln	Gly	Ala	Val	
436	170					175					180					185	
437	atc	cgc	gcc	atg	cct	gtc	tac	aaa	aaa	gct	gag	cac	gtc	acg	gag	gtg	747
438	Ile	Arg	Ala	Met	Pro	Val	Tyr	Lys	Lys	Ala	Glu	His	Val	Thr	Glu	Val	
439					190					195					200		
440	gtg	aag	cgg	tgc	ccc	aac	cat	gag	ctg	agc	cgt	gaa	ttc	aac	gag	gga	795
441	Val	Lys	Arg	Cys	Pro	Asn	His	Glu	Leu	Ser	Arg	Glu	Phe	Asn	Glu	Gly	
442				205					210					215			
443	cag	att	gcc	cct	cct	agt	cat	ttg	att	cga	gta	gag	ggg	aac	agc	cat	843
444	Gln	Ile	Ala	Pro	Pro	Ser	His	Leu	Ile	Arg	Val	Glu	Gly	Asn	Ser	His	
445			220					225					230				
446	gcc	cag	tat	gta	gaa	gat	ccc	atc	aca	gga	aga	cag	agt	gtg	ctg	gta	891
447	Ala	Gln	Tyr	Val	Glu	Asp		Ile	Thr	Gly	Arg		Ser	Val	Leu	Val	
448		235					240					245					
														gtc			939
		Tyr	Glu	Pro	Pro		Val	Gly	Thr	Glu		Thr	Thr	Val	Leu		
451						255					260					265	007
			_											cgc			987
	Asn	Phe	Met	Cys		Ser	Ser	Cys	Val	-	GLY	Met	Asn	Arg	_	Pro	
454					270					275					280		1025
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460			300					305				~++		~~~	- a+	202	1131
461	aag	gcg	gat	gaa	gat	agc	atc	aga	aag	cag	Caa	guu Wal	Cor	gac	cor	Thr	1131
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RAW SEQUENCE LISTING DATE: 03/29/2001 PATENT APPLICATION: US/09/670,568 TIME: 10:20:49

Input Set : A:\sequence listing (p99-16).txt
Output Set: N:\CRF3\03292001\1670568.raw

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		Ile	Lys		Ser	Leu	Glu	Leu		Gln	Tyr	Leu	Pro		His	Thr	Ile		
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	476	gaa		tac	agg	caa	cag	caa	cag	cag	cag	cac		cac	tta	ctt	cag	1371	- ameno acida
E>	477		395					400					405						
	478	aaa	cag	acc	tca	ata	cag	tct	cca	tct	tca	tat	ggt	aac	agc	tcc	cca	1419	musser!
	479	Lys	Gln	Thr	Ser	Ile	Gln	Ser	Pro	Ser	Ser	Tyr	Gly	Asn	Ser	Ser	Pro		
W>	480	410					415					420					425		under triples
	481	cct	ctg	aac	aaa	atg	aac	agc	atg	aac	aag	ctg	cct	tct	gtg	agc	cag	1467	
	482	Pro	Leu	Asn	Lys	Met	Asn	Ser	Met	Asn	Lys	Leu	Pro	Ser	Val	Ser	Gln		
W>	483					430					435					440			
	484	ctt	atc	aac	cct	caq	cag	cgc	aac	qcc	ctc	act	cct	aca	acc	att	cct	1515	
						-	-	Arg		-									
W>					445			_		450					455				
••		gat	aac	atq	gga	qcc	aac	att	ccc	atg	atq	aac	acc	cac	atq	cca	atq	1563	
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("\ '		ctc		atσ	cca	tcc	acc	tcc	cac	tac	aca	ccc		cct	cca	tat	CCC	1659	
/ IC				-				Ser		-					_			1033	
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\			-	-	-		-	Ser					_		_			1707	
W>		1111	нэр	Cys	Ser	510	Val	Ser	rne	ьец	515	AI 9	цец	Gry	Cys	520	261		
M>		+ ~+	cta	aac.	+=+		200	acc	020	aaa		200	300	atc	tat		att	1755	
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W>		Cys	пец	тэр	525	1 110	1111	1111	GIII	530	Deu	1111	1111	110	535	OIII	110		
M>		~~~	cat	+20		a t a	an t	gat	at a		art	ata	222	ato		~ ~ ~	C22	1803	·
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<i>r.</i> :		GIU	птэ	_	ser	met	ASP	Asp		Ala	261	Leu	гÃ2		PIO	GIU	GIII		
W>		+++		540	~~~	a t o	+~~	~ ~ ~	545	2+0	a+ a	~~~		550	~~~	ata	020	1851	
M			-					aag			_	-			_			1031	
	/	Pne	-	HIS	Ald	rre	тгр	Lys	GTA	ire	Leu	ASP		Arg	GIII	Leu	HIS		
MAES	507		555					560					565					1000	
1 }		-						cat		_				-	_	-		1899	•
			Pne	Ser	ser	Pro		His	Leu	Leu	Arg		Pro	ser	ser	Ala			
W>							575					580					585	1047	
			-	-				agt						-	-		_	1947	
		Thr	Val	Ser	Val	_	Ser	Ser	GLu	Thr	_	GLY	Glu	Arg	vaı		Asp		
M>						590					595					600			
		-		-				cgc	_							_	-	1995	
		Ala	Val	Arg		Thr	Leu	Arg	Gln		Ile	Ser	Phe	Pro		Arg	Asp		
M>					605					610					615				
					_			ttt	-	-	-	-	-	-		-		2043	
	518	Glu	Trp		Asp	Phe	Asn	Phe	Asp	Met	Asp	Ala	Arg	Arg	Asn	Lys	Gln		
M>	519			620					625					630					
		_	-							tgag	gcct	cac o	catgi	tgago	ct ci	ttcc	tatcc	2097	
	521	Gln	Arg	Ile	Lys	Glu	Glu	Gly	Glu										





RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/670,568

DATE: 03/29/2001 TIME: 10:20:49

Input Set : A:\sequence listing (p99-16).txt Output Set: N:\CRF3\03292001\1670568.raw

(We-	522	635	640

523	ctctcctaac	tgccagcccc	ctaaaagcac	tcctgcttaa	tcttcaaagc	cttctcccta	2157
524	gctcctcccc	ttcctcttgt	ctgatttctt	aggggaagga	gaagtaagag	gctacctctt	2217
525	acctaacatc	tgacctggca	tctaattctg	attctggctt	taagccttca	aaa	2270





VERIFICATION SUMMARY DATE: 03/29/2001 PATENT APPLICATION: US/09/670,568 TIME: 10:20:50

Input Set : A:\sequence listing (p99-16).txt
Output Set: N:\CRF3\03292001\I670568.raw

L:9 M:283 W: Missing Blank Line separator, <140> field identifier L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date L:30 M:257 W: Feature value mis-spelled or invalid, <221> Name/Key for SEQ ID#:1 L:477 M:254 E: No. of Bases conflict, LENGTH:Input:405 Counted:1371 SEQ:5 L:480 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:483 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:486 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:489 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:492 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:495 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:498 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:501 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:504 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:507 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:510 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:513 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:516 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:519 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:522 M:336 W: Invalid Amino Acid Number in Coding Region, SEQ ID:5 L:644 M:283 W: Missing Blank Line separator, <400> field identifier L:715 M:283 W: Missing Blank Line separator, <400> field identifier

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